

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 12/13/2023
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SMART STUDY CO., LTD.,	:	
	:	
Plaintiff,	:	
	:	1:21-cv-5860-GHW
-against-	:	
	:	<u>ORDER</u>
ACUTEYE-US, <i>et al.</i> ,	:	
	:	
Defendants.	:	
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GREGORY H. WOODS, United States District Judge:

On November 20, 2023, the Court ordered Plaintiff to show cause as to why this action should not be dismissed for failure to serve process in accordance with Federal Rule of Civil Procedure 4(f). Dkt. No. 135. The Court has reviewed Plaintiff's response at Dkt. No. 137.

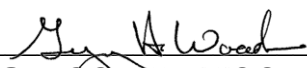
The Court had expected that Plaintiff would allow dismissal of these parties based on the Court's prior opinion in this case, Dkt. No. 100, the substance of which the Court affirmed at the October 25, 2023 show-cause hearing, *see* Dkt. No. 127. But the Court understands that Plaintiff does not wish for dismissal of the remaining defendants at this time based on Rule 4. As a result, the Court's November 20, 2023 order to show cause, Dkt. No. 135, is withdrawn.

Plaintiff is directed to submit a status letter to the Court updating it on Plaintiff's proposal regarding next steps by no later than January 2, 2024.

Plaintiff's counsel is instructed to serve this order on Defendants and to retain proof of service.

SO ORDERED.

Dated: December 13, 2023  
New York, New York

  
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 GREGORY H. WOODS  
 United States District Judge